

MINUTES
KANSAS BOARD OF VETERINARY EXAMINERS
Meeting held Friday, December 3, 2010
Celebrations Facility
Wamego, Kansas

(DRAFT VERSION UNTIL SIGNED BY BOARD PRESIDENT)

This meeting of the Kansas Board of Veterinary Examiners was called to order by Board President Dr. Vern Otte at 08:30am. All Board members were present for this meeting. Also present for this meeting were agency staff Dr. Dirk Hanson, Mr. Larry O'Hara, and Ms. Cheryl Mermis. Board General Counsel Mary Feighny and Board Litigation Counsel Laurie Kahrs were also present.

Board members reviewed the proposed agenda for this meeting. A motion was made by Dr. Barta to approve the agenda with Dr. Bogue seconding the motion. This motion passed on a voice vote with no dissenting votes.

Dr. Olson then moved to enter into executive session for personnel discussions for thirty minutes. This motion was seconded by Dr. Barta. This motion passed on a voice vote with no dissenting votes. The Board members entered into executive session at 08:30am. The Board members returned from executive session at 9:10am. Upon returning from executive session, Dr. Barta made the motion to give Mr. O'Hara a 10% salary raise and Ms. Mermis a 21% salary raise. Dr. Painter seconded this motion. The motion passed on a voice vote with no dissenting votes.

A public forum for non-agenda items was offered with no member/s of the public requesting to appear and none participated in this meeting.

A motion was made by Dr. Carlson to approve the minutes of the last Board meeting. This motion was seconded by Mr. Correll. This motion passed on a voice vote with no dissenting votes.

Board members then reviewed case status reports including summaries of recently completed cases, on-going case status and recently received feedback.

Dr. Otte then led discussion regarding sanctioning when out of state disciplinary actions had occurred. Ms. Kahrs and Ms. Feighny also provided input into this discussion.

Board members then heard fiscal year 2011-2012 budget recommendations with information provided by Dr. Hanson. Dr. Hanson indicated the current budget had been approved by the Governor's office and remained basically the same as last year's budget.

Board members then reviewed and discussed recently received communications from Greg Dennis regarding a court ruling on veterinary-client privilege.

Board members then discussed revisions to the AVMA model practice act. Dr. Hanson was asked to compile additional information on this issue to include consideration of licensing of some alternative therapies and have that information to Board members no later than early January.

Next, the entire board heard an informal conference at the request of Dr. Michael Nawrocki who had previously been issued a Civil Citation and Penalty in response to a compliant case. Dr. Nawrocki appeared at this informal conference represented by Counsel Sean Edwards. Dr. Nawrocki and his counsel waived any objection to the whole board participating in the informal conference after having been informed that should the matter be modified or affirmed and a hearing requested, some of the Board members participating would be future hearing panel members.

Having no other general Board business at this time, a motion was made by Dr. Olson to adjourn this meeting. This motion was seconded by Mr. Correll. This motion passed on a voice vote with no dissenting votes. This meeting was adjourned at 11:10am.

Upon adjournment of this meeting, probable cause teams will meet with agency staff and Litigation Counsel to review complaint case issues.

At 1:00pm a disciplinary hearing involving Respondent, James "Terry" Jackson, Case No. 10030 was conducted with the hearing panel of Dr. Bogue, Dr. Otte and Mr. Correll and Board General Counsel Mary Feighny advising the panel.

The next meeting of the Board will be on Wednesday, February 9, 2011, at the State Capital in Topeka. Board members were reminded there will be a Legislative reception at the KVMA Office in Topeka on February 8th. Rooms will be reserved at the Senate Luxury Suites for Board members. The next meeting date following the February meeting will be on April 29, 2011 in Wamego, June 5, 2011 in Manhattan.

